

Proposed First Reading – March 27, 2009
Proposed Second Reading – April 24, 2009
PASSED April 24, 2009

EXISTING:

CHAPTER 52 – BEACHES:

ARTICLE III. Activities Prohibited on Dunes Within Corporate Limits of Town

§ 52-12. Prohibited activities.

- A. It shall be unlawful for any person to operate any equipment or ride or drive any horses or other animals on, over or across the primary dune or beach.
- B. It shall be unlawful for any person to walk on, over or across the primary dune except at those locations specified by the State of Delaware or the Town of Fenwick Island, Delaware.
- C. It shall be unlawful for any person to remove sand from the beach or dune, or alter, move, remove or destroy any sand fence, barrier, sign, facility, improvement or structure installed and maintained by the State of Delaware or the Town of Fenwick Island, Delaware, for the enhancement, preservation or the protection of the beach.
- D. It shall be unlawful for any person to kill, destroy or remove any trees, shrubbery, beach grass or other vegetation growing on the beach or dunes.
- E. It shall be unlawful for any person other than state or Town officials to operate any automobile, OHV or other type of motor vehicle over any sand dune or stretch of sand eastward of the easternmost building setback line along Bunting Avenue.

§ 52-13. Exempt activities.

State of Delaware or Town of Fenwick Island, Delaware, official or authorized personnel or activities on the primary dune or beach are exempt from the provisions of this article.

§ 52-14. Violations and penalties.

Any person violating Article [III](#) prohibitions shall be fined and imprisoned commensurate with DNREC and or state guidelines.

PROPOSED:

§ 52-14. Violations and penalties.

Any person convicted of violating Article [III](#) prohibitions shall be fined \$250.00. Each day of a separate continuing violation shall be deemed a separate offense.

Posted: March 16, 2009

Posted March 30, 2009

Posted: April 27, 2009